

2 NINETY-SEVENTH LEGISLATURE
3 SECOND SESSION
4 LEGISLATIVE RESOLUTION 346

5 Introduced by Cunningham, 18; Byars, 30; Jensen, 20

6 PURPOSE: The purpose of this interim study is to examine the
7 issues raised by the introduction of Laws 2001, LB 399, the
8 Outpatient Surgical Procedures Data Act.

9 The repeal of the Nebraska Certificate of Need Act
10 deregulated the need for approval of construction of new health
11 care facilities. Since 1999, the number of ambulatory surgical
12 centers licensed by the State of Nebraska has almost doubled. The
13 number and complexity of outpatient surgical procedures as new
14 technology is introduced is rapidly expanding. Ambulatory surgical
15 centers and new specialty hospitals are focusing on providing
16 high-profit procedures typically provided in hospitals, thereby
17 challenging the viability of Nebraska hospitals that serve all
18 people requiring care, regardless of profitability.

19 Under current Nebraska laws, ambulatory surgical centers
20 do not publicly report any information concerning the surgical
21 procedures performed at their facilities. Without information from
22 ambulatory surgical centers, the gap of vital health care
23 information about the incidence and treatment of disease in
24 Nebraska will grow at an ever expanding rate. Establishing an
25 information data base is critical for informed health policy
26 decisionmaking about the utilization of outpatient surgical

1 services at both hospitals and ambulatory surgical centers. The
2 impact of the proliferation of ambulatory surgical centers and
3 specialty hospitals on access to essential health care services,
4 quality of care, and the need for accountability should be
5 analyzed. The study should determine what information on
6 outpatient surgical procedures should be publicly reported to the
7 Department of Health and Human Services Regulation and Licensure to
8 provide accountability and information concerning the incidence and
9 treatment of disease in Nebraska.

10 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
11 NINETY-SEVENTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

12 1. That the Health and Human Services Committee of the
13 Legislature shall be designated to conduct an interim study to
14 carry out the purposes of this resolution.

15 2. That the Health and Human Services Committee shall
16 invite representatives from the Department of Health and Human
17 Services Regulation and Licensure, representatives of hospitals,
18 representatives of ambulatory surgical centers not affiliated with
19 hospitals, representatives of physicians, representatives of
20 insurance companies, and representatives of other organizations
21 interested in health care information and policy to participate and
22 assist the committee in this study.

23 3. That the committee shall upon the conclusion of its
24 study make a report of its findings, together with its
25 recommendations, to the Legislative Council or Legislature.